

Message Text

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14-11

ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 L-02

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R 181828Z APR 75

FM USMISSION GENEVA

TO SECSTATE WASHDC 2229

INFO AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USNATO 3063

USMISSION BERLIN

C O N F I D E N T I A L GENEVA 2745

E.O. 11652: GDS

TAGS: CSCE, PFOR, XG, GW

SUBJECT: CSCE POLICY: QUARDRIPARTITE RIGHTS AND RESPONSIBILITIES

REF: GENEVA 1931

1. SUMMARY: BONN GROUP CSCE DELS HAVE REJECTED LATEST SWISS PROPOSAL FOR QRR TEXT, AND INDICATED TO NEUTRALS THAT MORE SERIOUS SUGGESTIONS WOULD BE WELCOME. THROUGH FRENCH DEL HEAD, SOVIETS ARE BEING INFORMED OF DISCUSSIONS WITH NEUTRALS AND ALLIED CONCLUSION THAT WE "MAY HAVE TO CONSIDER MINOR TEXTUAL MODIFICATIONS." BONN GROUP CSCE DELS AGREED TO RECOMMEND TO CAPITALS INSERTION OF WORDS "UNDER INTERNATIONAL LAW" AFTER "RESPONSIBILITIES" IN PRESENT QRR TEXT AS POSSIBLE WAY OF SATISFYING NEUTRAL OBJECTIONS. ACTION REQUESTED. APPROVAL OF THIS AMENDMENT AS BASIS FOR NEGOTIATION PREFERABLY BY THURSDAY, APRIL 24. END SUMMARY.

2. BEFORE BONN GROUP CSCE DELS HAD PRESENTED SWISS WITH THEIR NEGATIVE REACTION TO PROPOSAL (PARA 1 REFTEL)
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TO INSERT "SPECIFICALLY DEFINED AND RECOGNIZED" BEFORE

"RESPONSIBILITIES" IN QRR TEXT, SWISS ADVANCED FOLLOWING NEW PROPOSAL TO SELECTED DELEGATIONS: BEGIN TEXT: NOTHING IN THE PRESENT DOCUMENT AFFECTS OR WILL AFFECT THE RIGHTS OBLIGATIONS AND RESPONSIBILITIES (OF THE UNITED STATES, FRANCE, THE UNITED KINGDOM AND THE SOVIET UNION) (OF THE STATES PARTIES TO THE DECLARATION OF JUNE 30 (SIC) 1945) IN CONNECTION WITH OR VIS-A-VIS A STATE WHICH, DURING THE SECOND WORLD WAR WAS THEIR ENEMY AND WITH WHICH NO PEACE TREATY HAS BEEN CONCLUDED. END TEXT. THIS TEXT HAS PROVOKED GENERAL REACTION OF INCREDULITY AND BONN GROUP DELS HAVE USED IT TO SUGGEST TO NEUTRAL GROUP THAT MORE SERIOUS APPROACH (AND, BY IMPLICATION, MORE SERIOUS INTERLOCUTOR) IS CALLED FOR. ALLIES HAVE DECIDED TO INSIST ON SWEDES AND YUGOSLAVS, AT MINIMUM, PARTICIPATING IN ANY FURTHER DISCUSSIONS SWISS MAY WISH TO HOLD ON QRR.

3. FRG AND UK REPORTED TO OTHER BONN GROUP DELS THAT ORIGINAL SWISS SUGGESTED AMENDMENT TO QRR TEXT HAD BEEN REJECTED BY THEIR CAPITALS. US DEL NOTED THAT WE HAD NOT FOUND SWISS PROPOSAL USEFUL. BONN GROUP DELEGATIONS AGREED TO RECOMMEND TO CAPITALS FRG SUGGESTION THAT WORDS "UNDER INTERNATIONAL LAW" BE INSERTED AFTER "RESPONSIBILITIES." USDEL FAVORS DRAFTING IN ALL LANGUAGES WHICH WILL MAKE CLEAR THAT "UNDER INTERNATIONAL LAW" APPLIES TO ALL ELEMENTS OF QRR TEXT. WE WOULD EXPECT NEUTRALS TO BE TROUBLED BY CONTRAST BETWEEN UNQUALIFIED WORD "OBLIGATIONS" AND QUALIFIED WORD "RESPONSIBILITIES" IN PROPOSED AMENDED TEXT. WE WOULD, FOR DRAFTING REASONS, ALSO PREFER TO SEE "IN CONFORMITY WITH INTERNATIONAL LAW" DROPPED FROM TEXT, SINCE PROPOSED AMENDMENT MAKES IT SUPERFLUOUS AND IT HAS, IN OTHER LANGUAGES, BEEN APPLIED TO "ARRANGEMENTS" BUT NOT "TREATIES" AND "AGREEMENTS," THEREBY CREATING A POSSIBLE BREZHNEV DOCTRINE LOOPHOLE. HOWEVER, WE WOULD RECOMMEND THAT DEPT AUTHORIZE US AT THIS STAGE TO AGREE TO PROPOSED AMENDMENT AS BASIS FOR FURTHER NEGOTIATION.

4. IN VIEW OF INCREASING LEVEL OF ACTIVITY ON QRR TEXT, FRENCH DEL HEAD (ANDRE), ON BEHALF BONN GROUP DELEGATION
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TIONS, IS INFORMING SOVIETS OF DISCUSSIONS HELD THUS FAR WITH NEUTRALS AND OF ALLIED CONCLUSION THAT MINOR TEXTUAL MODIFICATIONS MAY BE NECESSARY, PARTICULARLY REGARDING QUALIFICATION OF WORD "RESPONSIBILITIES." WHILE SOVIETS HAVE REPORTED THAT THEY UNDER FIRM INSTRUCTIONS TO STICK TO PRESENT TEXT, THEY HAVE INDICATED THAT SOME "MINOR RECTIFICATIONS" MIGHT BE FEASIBLE. TO FOLLOW UP ON HIS APPROACH TO SOVIETS,

ANDRE HAS ORGANIZED A DINNER MEETING WITH SOVIETS ON THE SUBJECT FOR APRIL 25. WE WILL MEET WITH OTHER BONN GROUP DELS ON THURSDAY, APRIL 24, AND WOULD THEREFORE LIKE TO HAVE DEPARTMENT'S RESPONSE BY OPENING OF BUSINESS ON APRIL 24.

5. ACTION REQUESTED: APPROVAL OF AMENDMENT OF QRR TEXT BY INSERTION OF WORDS "UNDER INTERNATIONAL LAW" AFTER "RESPONSIBILITIES," AS BASIS FOR FURTHER NEGOTIATION, PREFERABLY BY OPENING OF BUSINESS ON APRIL 24.
DALE

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